

Lon A. Jenkins (4060)
Tami Gadd-Willardson (12517)
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OFFICE CHAPTER 13 TRUSTEE
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH
SOUTHERN DIVISION**

In re: RUSSELL CARTER FELLER JANELL KAYE FELLER Debtors.	Case No. 17-29673 Chapter 13 Hon. William T. Thurman (Confirmation Hearing: 02/08/18 at 10:30 AM)
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TRUSTEE'S OBJECTION TO CONFIRMATION

This is a below-median case and the Debtors' plan provides for payments of \$440.00 to return \$0.00 to nonpriority unsecured creditors. Lon A. Jenkins, Chapter 13 Trustee, hereby objects to confirmation of the Debtors' plan and in support thereof represents as follows:

1. The Debtors failed to file a *Declaration of Filed Tax Returns* as required by Local Rule 6070-1(c)(3).
2. The Debtors failed to provide the Trustee with a business questionnaire for a business operated during the sixty (60) days prior to the petition date (see Local Rule 2083-1(d)(1)(D)).

3. The Debtors list on Schedule J an expense for auto payment of \$335 (appears to be duplicated). The Debtors should either substantiate this expense with admissible, documentary evidence, or remove it from Schedule J.

4. The Trustee requests the Debtors provide complete 2016 personal and business tax returns.

5. The Trustee requests full financial accounts for business for October 1, 2017 – December 31, 2017. If the Trustee cannot determine income, the Trustee may request reconciliation.

6. It appears that the Debtors' Current Monthly Income (as that term is defined by § 101(10A)) is greater than what is disclosed on Form 122C-1. The profit and loss statements provided do not match the income on Line No. 5.

7. The Debtors failed to answer the business questions of Interrogatory Nos. 27 & 28 on the Statement of Financial Affairs, as required by FED. R. BANKR. P. 1007(b)(1).

8. The Debtors have not disclosed on Schedule I monthly income received from wages for Russell Feller.

THEREFORE, the Trustee objects to confirmation of the Debtors' plan. If the Debtors are unable to resolve the Trustee's objection by the confirmation hearing, the Trustee will move to dismiss or convert this case.

DATED: January 4, 2018.

/s/ Tami Gadd-Willardson
TAMI GADD-WILLARDSON
Attorney for Chapter 13 Trustee

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 4, 2018, a true and correct copy of the foregoing paper was served electronically via CM/ECF to the persons listed below.

LEONARD J. CARSON
ECF NOTIFICATION

The undersigned hereby certifies that on January 4, 2018, a true and correct copy of the foregoing paper was addressed to the following persons and deposited in the U.S. Mail, first-class postage prepaid.

RUSSELL CARTER FELLER
JANELL KAYE FELLER
885 NORTH OLD FARMS ROAD
DAMMERON VALLEY, UT 84783

/s/ Michelle Moses
Office Chapter 13 Trustee